

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KELLY CORNE,

Plaintiff,

vs.

Case No. 07-CV-13931  
HON. GEORGE CARAM STEEH

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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ORDER ACCEPTING REPORT AND RECOMMENDATION (#16)  
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (#15 ),  
DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (#10), AND  
DISMISSING PLAINTIFF'S CLAIM

This matter is before the court on the parties' cross-motions for summary judgment as to plaintiff Kelly Corne's claim for judicial review of defendant Commissioner of Social Security's denial of her application for disability insurance benefits premised on fibromyalgia, osteoporosis, and depression. The matter was referred to Magistrate Judge Donald Scheer, who issued a seven-page Report and Recommendation on May 21, 2008 recommending that defendant Commissioner's motion be granted, that Corne's motion be denied, and that Corne's claims be dismissed on concluding there is substantial evidence in the record to support the Administrative Law Judge's ("ALJ") decision that Corne is not entitled to disability benefits because she retained the residual functional capacity to perform a limited range of light work existing in the national economy. The Magistrate Judge also determined that the ALJ's hypothetical questions to a vocational expert were

accurate, incorporating all of Corne's limitations. Corne has not filed objections to the Report and Recommendation. See 28 U.S.C. § 636(b)(1). The court has reviewed the Report and Recommendation, and in the absence of timely objection,

The court hereby adopts Magistrate Scheer's May 21, 2008 Report and Recommendation. Plaintiff Corne's motion for summary judgment is hereby DENIED. Defendant Commissioner of Social Security's motion for summary judgment is hereby GRANTED. Plaintiff Corne's claim is hereby DISMISSED.

SO ORDERED.

Dated: July 9, 2008

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on July 9, 2008, by electronic and/or ordinary mail.

s/Marcia Beauchemin  
Deputy Clerk